

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

JOINT STANDING COMMITTEE ON JUDICIARY

December 2021

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JOINT STANDING COMMITTEE ON JUDICIARY

LD 778 An Act To Enable Electronic Reporting of Suspected Child Abuse and Neglect for Certain Mandated Reporters

ENACTED LAW SUMMARY

Public Law 2021, chapter 116 amends outdated language regarding electronic submission of reports of suspected abuse or neglect to the Department of Health and Human Services by removing the language regarding secure e-mail and fax transmissions. Instead, electronic reports are submitted through a portal provided by the department linked to the department's comprehensive child welfare information system. Chapter 116 also expands the types of mandated reporters who may report electronically to include school personnel.

LD 785 An Act To Change the Standard for Taking a Person into Protective Custody

ENACTED LAW SUMMARY

Public Law 2021, chapter 377 revises the standard for a law enforcement officer to take a person into protective custody. Current law is based on the law enforcement officer's having probable cause to believe that a person may be mentally ill and, because of that condition, presents a threat of imminent and substantial physical harm to that person or to another person. Chapter 377 changes that standard to the law enforcement officer's having probable cause to believe the person is mentally ill and, due to that condition, the person poses a likelihood of serious harm as defined in the Maine Revised Statutes, Title 34-B, section 3801, subsection 4-A, paragraph A, B or C.

LD 788 An Act To Align the Preconviction and Post-conviction Discretionary Deductions for Time Served

ENACTED LAW SUMMARY

Public Law 2021, chapter 330 increases the discretionary deduction for time served for a person who serves time while awaiting trial, during trial, post-trial while awaiting sentencing or post-sentencing prior to the date on which the sentence commenced either to await transportation to the place of imprisonment specified or pursuant to court order and not in execution of any other sentence or imprisonment. It makes the discretionary deduction for time served the same for preconviction and post-conviction time served. The new deduction applies to an individual who commits a crime on or after October 1, 2021. In addition, information must be given to a victim about the amount of deductions that the defendant will receive for time served at the time of the sentencing.